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Conservation Commission Minutes 08/05/2010

Arlington Conservation Commission
 Minutes
 August 5, 2010

Mr. Stevens called the meeting to order at 7:45 p.m. in the second floor conference room of the Town Hall Annex. Present were Nathaniel Stevens, Ellen Reed, William O'Rourke, Charles Tirone, Catherine Garnett, and Ezra Benjamin of the Commission. Also in attendance was Brian Thomas, Associate Commission member, and Curt Connors, currently applying for membership. Member David White was not in attendance. Mike Saccone, Andrea Norton, Lenore White, Elaine Sacco, Brad Barber, Susan Hoye, Stephen Revilak, Joey Glushko and Maria Chutchian were also present.

7:45 p.m. – Commission Business

Reed/Tirone motioned to approve the 7/15 minutes; motion passed unanimously.

8:30pm –Notice of Intent– Elizabeth Island, control of land-based phragmites

Mr. Steven recused himself and Mr. Benjamin chaired the hearing.

Mr. Barber presented his report of the treatment program for the water-based plants. There was very successful removal of the numerous smaller patches, but some still remains.

He continued to present the plan for treatment of the phragmites at Elizabeth Island. Aquatic Control Technology would access the patch of reeds from the island with backpack sprayers and possible also a small boat, if necessary.

The Natural Heritage program found that this work will not impact Englemann's Sedge. The DEP file number was issued and is 91-218.

The Spy Pond committee has posted a planting plan for shoreline residents to consult.

Ms. Garnett would like written notice that Audubon has been notified and consulted of this work. Ms. Sacco said that Bob Wilbur is the contact at Audubon.

The Commission asked about the removal of the dead plants after treatment. Mr. Barber was suggesting just mulching the plant matter in place. Ms. Garnett was concerned over the seeds reseeding the shoreline. Ms. Reed expressed concern of nutrient loading of the pond.

Mr. Barber remarked that the roots are the tough part of the plant to kill, regeneration seems to occur from that portion of the plant. The replanting of the shoreline with the wetland plant seed mix at his shoreline seems to be successful at this stage.

Reed/Tirone motioned to continue this hearing to 8/19 at 8:45pm to allow for receipt of input from Audubon; motion passed unanimously.

Documents reviewed: Notice of Intent

8:15pm – Request for Determination of Applicability – Route 2 walking path along Spy Pond

Mr. Stevens recused himself from this hearing and Mr. Benjamin chaired the hearing

Ms. Norton presented the project to resurface the existing paved path. The existing path will be swept, the erosion controls installed and a new layer of asphalt laid over the existing path. The edges will be loamed and seeded as necessary to even out the grade.

Ms. Norton offered to hold a site walk for checking the erosion controls with Ms. Beckwith.

Ms. Glushko asked if Mr. Rogovin and Mr. Ricci could also attend that meeting. Ms. Beckwith will coordinate these attendees.

The Commission placed two conditions on the permit; to remove the erosion controls at the end of the work and to leave the work site in a clean condition.

O'Rourke/Tirone motioned to close the hearing; motion passed unanimously.

Reed/Garnett motioned to issue a Negative Determination of Applicability that while the work is within an area of jurisdiction that, as proposed, it will not impact the waterbody, and no Notice of Intent needs to be filed; motion passed unanimously.

Documents reviewed: RDA application

8:45pm – Discussion- Amendments to local wetland regulations

Mr. Stevens returned to the meeting.

The Commission reviewed further proposed amendments to its Wetland Regulations, including renaming the Buffer Zone to Adjacent Upland Resource Area, to better reflect that it is protected as a resource area, clarifying when to file which for which permits, and revising the plant/vegetation replacement guidelines. Mr. Stevens asked the board to focus on Section 21.

Benjamin/Reed motioned to continue this discussion in order for more input and consideration on 9/2 at 9pm; motion passed unanimously.

Documents reviewed: draft regulations

Commission Business (cont.)

Ms. Sacco had received the notice of non-compliance for substantial yardwork without a permit she had done on her property at 24 Sheraton Park. She brought photographs and a letter in response. She explained her placement of sand and cutting of the shrubs were to replace the conditions she had previously established on her shoreline and to control poison ivy. The board reviewed her photos and noticed some invasive plants regenerating and some native ferns. Ms. Garnett offered to help her choose some appropriate shrubs to plant at the waters edge to deter geese and provide more native habitat. Mr. O'Rourke asked for a sketch plan for this replanting.

Reed/O'Rourke motioned to continue this matter to 9/16 at 8pm, for review of this plan; motion passed unanimously.

Ms. Garnett recused herself from the meeting for the next item.

The contractor, Mr. Saccone, for the Alewife Greenway project attended to discuss the stop work order and release last week. He explained that his crew cut the knotweed at the bank for 300 feet and left the area open to the brook for the weekend as an oversight. He apologized for not relocating the erosion control to the edge of the work area. He said he is offering to replant the area but is awaiting MassDOT approval.

Mr. Tirone warned of the extremely sensitive nature of this project in multiple aspects. This oversight did harm to the reputation of the project in the eyes of the abutters and the Commission.

Ms. Beckwith ordered further conditions in the release of the stop work order and will forward this letter to the environmental inspector, Ms. White.

Ms. Hoyer conveyed her dismay at the lack of coordinated project management, and that the many neighbors were not of one mind on their opinions.

Mr. Tirone asked for the contact information, the construction schedule and the Commission ordered additional erosion control (straw matting) be installed along the top of the embankment to protect the area in the interim until the proposed restoration planting is approved by MassDOT.

Mr. Revilak expressed approval of the later method of vegetation clearing where a narrow channel of plants were cut, allowing the placement of the mulch berm prior to the rest of the area being cleared.

Ms. Garnett returned to the meeting.

The Commission discussed the request to waive fees for the phragmites control projects. The board does not have the authority to waive the state mandated fees and it would be unfair to other private land-owners to grant such an exception.

Ms. Garnett asked Ms. Beckwith to investigate a shed placed in the wetland on Dothan St.

Meeting adjourned at 10:15pm.

Respectfully submitted,
Corinna Beckwith

Commission Administrator